

(ii) the Memorandum of Understanding (MOU) on Market Access Between the United States and the People's Republic of China, signed October 10, 1992;

(iii) the Bilateral Textile Agreement Between the United States and the People's Republic of China, signed January 17, 1994; and

(iv) an exchange of letters with an attached action plan between the United States and the People's Republic of China, signed February 26, 1995, relating to intellectual property rights.

(2) SECRETARY.—The term "Secretary" means the Secretary of Commerce.

(3) TRADE REPRESENTATIVE.—The term "Trade Representative" means the United States Trade Representative.

THE OPEN MARKETS AND FAIR TRADE ACT OF 1995—SUMMARY
GOAL

The legislation will help the United States develop a systematic, long-term trade policy that will pry open foreign markets for American exporters. This bill supports the Clinton Administration's results-oriented trade policy.

The U.S. has accumulated more than \$1 trillion in merchandise trade deficits since 1980. Countries like Japan—which accounted for more than 43% of last years deficit and China, which accounted for almost 20% of last years trade deficit, continue to exclude U.S. products from their markets.

This legislation will create a process for defining what our goals and objectives should be in trade negotiations. It will help ensure that our trade negotiations achieve measurable results, not just empty promises. Additionally, the legislation will grant the President the authority to have Congress grant him reciprocal trade authority on an expedited basis.

SPECIFICS

The legislation instructs the Commerce Department to choose a range of important American goods and services, and study how well those products do in foreign markets. Then we'll understand how well we should be doing if trade were free and fair. Commerce will outline clear, objective criteria for gaining market access and the USTR will be given authority to negotiate to achieve these or similar goals.

The bill requires that in developing objective criteria the Department of Commerce should give priority to industries which will result in the greatest employment benefits for the United States, industries which have the most export potential and industries that promote critical technologies.

The legislation doesn't specify what objective criteria should be used. It simply endorses a results-oriented trade policy. The effect will not be "managed trade". Rather, it will provide the basis for our negotiators and our trading partners to know what "success" is. It seeks to create a basis for open, honest negotiations where others understand what our expectations are.

The legislation also gives the President the ability to come to Congress to authorize reciprocal trade actions if he deems it appropriate. This reciprocal trade authority would be considered on an expedited basis.

The President has full discretion under this legislation. But it sends a clear message to our trading partners: follow the Golden Rule in trade. If another country believes that its market access impediments are appropriate and should be continued, then they shouldn't object to others following their lead.

Nothing in this legislation violates our commitment to the GATT. The process that the bill begins simply requires that we define what our national interests and what fair

play would achieve. It does not specify how we will respond to the market barriers our farmers, workers and businesses face, although, through the expedited procedures provided for in the bill, it shows a clear preference for reciprocity. Reciprocity to respond to anticompetitive practices. Actions that aren't covered by the GATT.

Those with a vested interest in the status quo have engaged in an intensive public relations campaign to discredit the President's trade policy. We must not retreat from our desire to enforce the rights of our farmers, workers and businesses.●

U.S. COMMISSION ON CIVIL RIGHTS' REPORT ON HATE CRIME IN OHIO

● Mr. SIMON. Mr. President, the Ohio Advisory Committee to the U.S. Commission on Civil Rights has released a report documenting hate activity in that State. The Ohio Advisory Committee compiled hate crime statistics from the five largest cities in the State, and found continuing reports of prejudice and hate ranging from racism, anti-Semitism, and homophobia. Unfortunately, Ohio's continued problem with hate crimes mirrors the national struggle against crimes based on prejudice.

The Ohio report serves as a reminder that there is still much work to be done to reduce the incidence of hate crimes. The Hate Crimes Statistics Act, which I authored in 1990, has been an important first step in this process. The reporting system established by this law sends a message to both the victims and the perpetrators of hate crimes that law enforcement officials are committed to solving the problem of hate crimes.

Unfortunately, since States are not required to provide statistics on hate crimes to the FBI, many States have not yet fully complied with this important effort. In this, Ohio again mirrors the problems in many States. The Ohio Advisory Committee found that the reporting of hate crime by local law enforcement agencies is still insufficient to gauge with confidence the extent of hate crime activity in Ohio. Ohio has seen significant progress since 1991 when only 30 of 401—7 percent—law enforcement agencies who participate in the program submitted hate crime reports to the FBI. That number increased to 125 of 401—31 percent—law enforcement agencies reporting in 1993. This progress is encouraging, but a greater commitment is needed.

In addition to the problems with insufficient reporting, the report found that Ohio's reporting was plagued by wide discrepancies in interpretation of the hate crime statute. This has been a problem in many States, and highlights the importance of the FBI hate crime training programs. The FBI offers outreach and training programs for local law enforcement officials to ensure that hate crime reporting is consistent and in keeping with the statute. I encourage Ohio law enforcement officials to take advantage of this useful training.

The Ohio report made several recommendations to improve Ohio's hate crime reporting, from encouraging local law enforcement officials to avail themselves of the hate crime training offered by the FBI to the creation of a central depository of hate crime information in Ohio. These changes would not only boost efforts to monitor hate crimes, but facilitate more effective remedies and prosecutions of hate crimes in the State. I encourage Ohio officials to review these recommendations.

The foundation laid by the 1990 Hate Crimes Statistics Act is an important step in solving the problem of hate crimes. But clearly this problem is not going away. The problems in Ohio are not unique. Government officials, from local to Federal, need to look for ways to assist States and cities interested in training their law enforcement officials to report hate crimes, and to encourage all States to participate.●

IMMIGRATION ENFORCEMENT IMPROVEMENTS ACT OF 1995

● Mr. SIMON. Mr. President, I am proud to be an original cosponsor of the Immigration Enforcement Improvements Act of 1995. The approach to immigration policy reflected in the administration's proposal is thoughtful and comprehensive, and I applaud it.

The Clinton administration's bill recognizes, as do the people of this Nation, the need to formulate an effective response to the problem of illegal immigration, and proposes increased resources not only for border enforcement, but also increased resources to eliminate the job magnet that will continue to draw undocumented aliens into the Nation regardless of the success of our border policy. The proposal also strives to improve our ability to deport those aliens that have been identified as deportable.

To achieve each of these objectives the administration has proposed stern measures, and, in its fiscal year 1996 budget request, the commitment of substantial resources; yet, at the same time, the administration's proposal contains little that feeds the rampant anti-immigrant sentiment that has pervaded the immigration policy debate in recent years. Rather, the administration's proposal takes a measured yet aggressive approach to the problems we must face. In short, while it has taken an undeniably firm stance against illegal immigration, the administration has not succumbed to the belief that immigration in all its shapes and forms is a bad thing. Quite the contrary: this legislation reflects the fact that, as the President has said, an effective immigration policy must combine deterrence of illegal immigration with an encouragement and celebration of legal immigration.

I look forward to working with the administration and my colleagues in